

1865

A. S. ENSWORTH BUSINESS LETTERS
JOSHUA SLOANE, THOS WHALEY IN EFFORT
TO SETTLE ESTATE

Saw Camp June 15 1864

Thos Whaley Esq

Dr Sir-

I forget all about
the accomp. of tax receipt, Steamer day
Nothing new here

I fear we are going to have another drought
I dont hear at all from Mr Euseworth
They say he is improving

My ac with him is about closed now.

say 80 to 100 dollars

Very respect
J. Ploum

On loan of Euseworth

my tax receipt 1864. 49-61

" " " " " "

mutie - - - 2 1/2

\$ 51 7 1/2

San Diego Sept 10 1865
Thos Whaley Esq
San Francisco
Dear Sir

I have sent you this
day in gold dust \$42⁰⁰ to the credit of my Ac with
Edwards, Wells, Fargo & Co, Express, and addressed
Messrs DeBlas & Co San Francisco

Yours respectfully
J. L. Moore

Since the gold dust 2 oz 7/16 sent to
you on 10th inst, has for \$35⁵⁰ being the
highest attainable price for which I
give them credit in Edwards, Wells, Fargo & Co
Sept 15 1865.

Copy

1864 Salary of Mr. A. S. Eusworth by R. E. Rainey
 Sept 8 Received this day for salary on above of Ex "J. B. Ford"
 12 Bales & 1 Bag Horse "San Jorge Rancho"
 Dec 22 By Salary Horse 3294 Ls @ 150/494.10

<u>Debit</u>		<u>Credit</u>	
Sept 8	To Cartage		2.00
" 12	" Cash for Sale of H. Ford, freight		24.72
Oct 15	" Advances to Mr. J. Whaley		200.00
Dec 22	" Interest on advances		10.59
" "	" Commission		24.70
" "	" Net Balance to Credit of Mr. S. Whaley		232.09
		E. & O. E.	494.10
San Francisco } Dec 22. 1864 }		Signed R. E. Rainey Per Kletson	

I enclose the original in my letter
 to A. S. Eusworth Esq Los Angeles
 Aug 6 - 1865 -
 W. R. Harvey

Some time previous to his death
 quire Euseworth requested me to make up the accounts be-
 tween ourselves from the papers and memoranda which
 he furnished me. ^{and says about} This I did, ^{including in} forwarding
 them to him when I heard of his death. Having since
 received from Joshua Sloan ^{papers} October 15th
 1865 I have made ^{the papers} all other ^{papers} after waiting
 to conform to this ^{but they have checked no part of} ^{the accuracy of Euseworth's settlement}
 as a copy of the accounts to ^{him} ^{for your} ^{reference}
 the ^{papers} ^{as they} ^{would} ^{stand} ^{upon} ^{Euseworth's} ^{own}
 body, ^{and containing nothing but what may be substantiated by his own hands}
 abide thereby claiming only the net proceeds
 of the sale of the goods - waiving all right to inter-
 est which I might justly claim - This is
 precisely upon the basis of settlement which
 we would have settled had he lived and that
 such was his intention I think Mr Sloan
 will certify to for as mentioned something
 to that effect when in N. Y. in before last

and ^{only} which I could never have ^{signed} ^{any} ^{receipt}
 a settlement ^{I am willing to} ^{submit} ^{to} ^{abide} ^{there} ^{by} ^{though} ^{the}
 showing is an unsatisfactory one
 the showing is rather an unsatisfactory one to
 me - the profits being really less now than they
 were when we had a settlement May 19 1863
 the profits then were \$1287.50 and now (after
 disposing of nearly four thousand dollars
 worth of goods, the amount then on hand
 at cost price ^{as per invoice} taken at the
 time of settlement) ^{the profits are only} \$1103.10 which is some-
 thing rather inexplicable ^{to me} and ^{therefor}
 far from being satisfactory ^{to me}

Tell me if you please what if any ^{part} ^{is} ^{properly}
 left by Euseworth - and whether it suffi-
 cient to pay the demands against his
 estate -

Copy

San Francisco. April 1866

E. W. Moore Esq

Executor or Administrator

Estate A. S. Euseworth, deceased.

Dear Sir,

Wm Euseworth, sometime previous to his death, requested you, as you will ^{probably} remember, to make up the accounts between yourself from the papers and memoranda which he furnished and, ^{as I did} and was about forwarding them, when I learned ^{from Judge Bayard's former trial that confidential} ^{and confidential} ^{no more.} Having since received from Mr Joshua Sloan the sum of \$43,250, October 15th 1865, I have embraced this amount in the accounts, and made the date that an account, to conform to this one, being the last transaction. A copy of these accounts I enclose herewith to Henry H. Nash Esq, to be handed to you for settlement, together with my certificate or affidavit as to their correctness. The accounts as presented are as they would stand upon Euseworth's own books, if made by him, containing nothing but what may ^{not} be substantiated by his own writings, and ^{only for which} I could now have arrived at a settlement. I am willing to abide thereby (although the showing is rather an unsatisfactory one to me, the profits being really less than they were when we had a settlement May 19th 1863, after disposing of nearly four thousand dollars worth of additional goods, then on hand at cost price as per inventory taken at the time which seems acceptable.) Claiming only the net proceeds of the sale of the goods - waiving any demands for interest which I might justly make. This is precisely the basis upon which we would have settled had Euseworth lived, and that such was his intention I think. Mr Joshua Sloan will testify to, he having intimated as much when in San Francisco the time before the last. I ask no more from the dead than the living would have granted without seeking to take any advantage - Tell me if you please what ~~is~~ ^{is} property left by Euseworth, and whether sufficient to pay the ^{and what you have in ready money with them} ^{against his estate} ^{also of this claim} ^{of} ^{sum} will be allowed as presented, or if you as in the event of its not being I should be

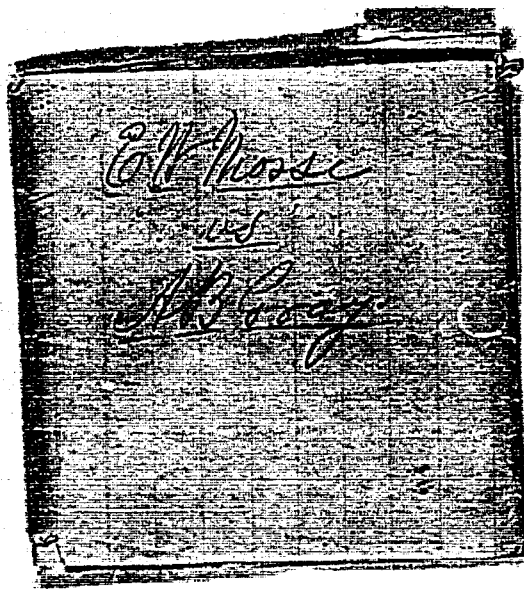
^{a different}
Obliged to put in ~~one of my own~~, taking
his account memorandum address and so forth
as the basis. ~~Believing that~~ ^{in my}
Judge Mayo in his letter to me, dated September 11/65,
mentions having assigned to (Enderoth,
\$1000.00 on a mortgage in his name (as a partner
Mrs. Raines) upon the Coconino Ranch in
Pinal County with the intent, this amount
being in all to \$1000.00 and says that
good

Very Respectfully
Yours Obedt Servt
H. Redhney

1854 - 55

BUSINESS

A.S. ENSWORTH'S LAW ACTIVITIES



E. K. Morse

1851

M. H. Gray

Statement No 1

June 22-1854	Cash loaned A. B. Gray	\$143.97
Dec 15-1855	Received from Sale under Execution	43.20
	Balance Principal unsatisfied	\$100.77

December 15th 1855 - Judgment rendered by A. S. Edworth, Esq Justice of the Peace, for interest on \$143.97 from June 22nd 1854 - and for \$100.77 principal - with interest thereon at 5% per month from December 15th 1855, till paid.

Amount due under Judgment

First	Interest on \$143.97 from June 22 nd 1854 to Dec 15 th 1855 - 1 yr 5 mo 23 days @ 5% per mo: \$137.89	
Second	Balance Principal unsatisfied	100.77
Third	Interest on \$100.77 - from Dec 15 th 1855 to June 15 th 1871 - 15 yrs 6 mo @ 5% per month - 937.16	
	Amount due on Judgment & Interest	\$1165.82

Statement No. 2.

June 25, 1887	Cash paid A. B. Gray		\$ 43 94	
June 22, 1877	Interest to date 17 Cms 25 1/2 p. ann		1 68 49	
	Out. Principal & Interest			\$ 162 46

Statement No 3.

Jan 22, 1854	Cash loaned A. B. Gray		\$ 143 97
	Amount Expended Since		
Dec 15, 1855	Counsel fees	\$ 75 00	
"	Costs Court, Justices Court.	36 20	
Jan 30, 1856	Delinquent Tax on 12 lots for 1855	44 40	
Nov 21, "	Cost Constable elect, recording and acknowledging the same	9 75	
Mar 8, 1858	Transcript of Judgment from St. Marks, Justice of the Peace	3 60	
	Costs incurred & delinquent Taxes Paid on 11 lots at New Haven and at the Plaza from 1856 to 1861 inclusive	168 95	
Dec 23, 1862	Costs at the Plaza for 1869.	37 05	
Average time:	Costs at the Plaza for 1869.	1 50	
	Costs paid since 1856.	38 55	
	Cost of Loan and Expenses incurred on Trust Account	\$ 351 47	
On \$143.97 from Jan 22, 54, to Sept 22, 57 @ 3% mo		31 60	
" Sept 22, 57, to Sept 22, 58 - 1 yr @ 3% mo		69 10	
" Sept 22, 58, to Sept 22, 59 - 2 yrs @ 3% mo		103 68	
" Sept 22, 59, to Sept 22, 61 - 10 mos @ 3% mo		34 50	
" Sept 22, 61, to Jan 22, 71 - 3 1/2 yrs @ 1 1/2% mo		94 20	637 08
On \$168.95 from Jan 1, 1856, (average time) to Jan 1, 1857, 1 yr @ 3% mo		60 84	
On \$168.95 from Jan 1, 1857, to Jan 1, 1867 10 years @ 3% mo		405 60	
On \$168.95 from Jan 1, 1867, to Jan 22, 1871 4 yrs @ 3% mo		136 05	602 49
On \$38.55 from Dec 23, 1862, to Jan 22, 1871 - 8 1/2 yrs @ 1 1/2% mo			
Cost Loan, Expenses & Interest.			\$ 1650 53

Statements No 4.

June 22, 1854 Cash paid A. W. Gray. \$143 97

Amount expended since

Dec 15, 1855 Counsel fees \$ 75 00

" " Costs of Suit 36 20

Jan 30, 1856 Delinquent Taxes on 13 lots - Jan 1855 44 40

Nov 21, 1856 } Cost Constables deed, recording
and acknowledging the same 9 75

Mar 8, 1858 } Transcript of Judgment from the
St. Marys, Justices of the Peace. 2 60

Costs incurred of Delinquent Taxes 168 95

Dec 22, 1862 } Taxes on 11 lots at New Haven and
1 at La Playa from 1856 to 1868 inclusive 37 05

Average time Tax on 1 lot at La Playa for 1869 1 50

Amount of Taxes paid since 1856 38 55

Amount of Unpaid Expenses incurred 1007 42

Calculation of Interest to be added

On \$143.97 from June 22, 1854 to
Sept 22, 1854 - 3 mos. @ 8% per ann. 21 60

On \$143.97 from Sept 22, 1854 to June
22, 1871 - 16 yrs. 3 mos. @ 10% per ann. 241 20

On \$168.95 from Jan 1, 1855 to the average
time - to June 22, 1871 - 16 yrs, 5 mos.
& 22 days @ 10% per annum. 261 57

On \$38.55 from Dec. 1862. to June 22
1871 - 8 1/2 yrs @ 10% per annum 32 96

Amount of Interest

Amount Due, Expenses & Interest. 55 13
\$908 60

Dec 22 1854 Cash

143.97

Cash out

Dec 15 1854 Council fees (incl certain) 75.00

Jan 30 1855 - Taxes delinquent 1855 = 44.40

Dec 19 1855 - Costs of suit - 36.20

Nov 21 1855 making deed - 5.00

Nov 21 1855 Recording & Acknowledging 4.75

1855 Acknowledging ~~1.00~~

Mar 6 1856 Transcript of assignment 165.35

for time & charges 3.60

168.95

143.97

24.98

38.15

Taxes

Council fees Baltimore 357.47

75.56
4.00
79.50
36.30
43.20

12/2

J.D. C. H. K. ~~100 - Tax 2.2. 50/100~~
~~100 - Tax 2.2. 50/100~~

1856	vac 11 lots, 288.00 (3.54 80)	2.75
1857	vac 11 lots n.s. 288. (3.54 80)	2.75
1858	vac 17 lots n.s. 55.13, 54-25, 74	1.60
1859	vac 5 lots n.s. 25. (3.54 25)	1.00
1860	vac 11 lots n.s. 55.00 (3.54 25)	1.60
1861	vac 5 lots n.s. 25 (3.54 20)	1.00
1862	vac 5 lots n.s. 25 (3.54 20)	.90
1863	vac 5 lots n.s. 25 (3.54 20)	1.12
1864	vac 5 lots n.s. 25 (3.54 20)	1.12
1865	vac 5 lots n.s. 25 (3.54 15)	1.00
1866	vac 5 lots n.s. 25 (3.54 15)	1.00
1867	vac 5 lots n.s. 25 (3.54 10)	1.05
1868	vac 5 lots n.s. 190 - (3.54 - 100)	8.70
1869	(vac 5 lots n.s. 750 Tax 22.50) paid on 3.54	1.50
1870	for not paid	27.70

add

for 1859	vac 30 -	75
" 1861	" 30	75
" 1862	" 30	75
" 1863	" 30	1.00
" 1864	" 30	1.00
1865	" 30	1.00
1866	" 30	1.00
1867	" 30	1.00
1868	" 240	4.20
		<u>\$11.20</u>

2 Hogs Lea 1.50
4 Cans Seltz 2.00
2 1/2 Peaches 1.25
\$5.05

About May 1, 1870

Provided Aug 2
Can @ Oil -
Side Bacon
Broom -

Wm. H. ...
Judgment rendered
Mar 13/55

W. H. ...

E. G. Morse vs C. B. Gray.

Amount of note 143.97
Interest from June 22 - 1854 to)
October 18. 1869 - 1323.50

\$1467.47

June 1871
1854

17²⁷⁵
1020

14397.0
1468.4940 Int
143.97 Principal

\$1,612,464.0 Amt

Judg Rend Nov 13, 1855

Estimate of Andrew B. Gray

Notes of proceedings in Justice Court
San Diego County } NOV. 13, 1885

On the 13th day of Nov. 1885, James M. Robinson
personally came before me for and on behalf of Andrew B.
Gray, the Defendant in the above entitled cause
by a return precedent of this state, which the plaintiff
E. H. White has a cause of action against
said Gray - He with the said Robinson
Subscribed and sworn
before me the day &
Year first above
written -

J. M. Robinson

W. H. [unclear] J. P.

San Diego June 22 1864

My A. P. Gray

Please pay to the order of W. H. C. Co.
Remitted on receipt and give the
bill and note received.

E. W. Morse

1113 94
1100 100

receptor
W. S. Gray

Study ^{to} be received
over the north
Nov. 13th - 15.5
- A. J. (1871/16) 5/4

Mr. Morse, Esq.

San Diego

San Diego

My dear Sir, Upon receiving this I found it impossible to raise enough funds to pay off the accounts due by me, as drafts upon the Company in New York were not negotiable. - In sixty days from New York, from this time the funds will be forwarded by me to San Diego with interest allowed at five per cent per month. -

Mr. Foster will explain to you

with many thanks for your kindness

In haste very truly yours

15th July 1854.

San Francisco

A. B. Fox

227
1982

1950
1951
1952
1953

E. B. Moore }
W. }
E. B. Frey }
Mrs. W. C. Coker

Filed Nov. 1st 1955
C. W. Reynolds

W. C. Coker
E. B. Frey
E. B. Moore
W. }
Mrs. W. C. Coker

No. _____

AFFIDAVIT FOR ATTACHMENT.

STATE OF CALIFORNIA,

COUNTY OF *San Diego*

} Sec. Justices' Court, *San Diego* Township.

E. W. Morse

vs.

Andrew B. Gray -

E. W. Morse ~~*Andrew B. Gray*~~ ~~*Andrew B. Gray*~~ -

being duly sworn deposes and says, that the above named Defendant

is indebted to the Plaintiff in the sum of *two hundred sixty one 3/100* Dollars, over and above all legal set-offs and counter claims upon a contract *Express* for the direct payment of money, and that such contract is payable in this State, and was made after the passage of an act entitled "An Act to Regulate Proceedings in Civil Cases, in Courts of Justice in this State, approved in April, 1851," and that the payment of the same has not been secured by any mortgage on real or personal property.

Subscribed and sworn to before me, this *1st* day of *November* A. D. 18*55*

Alfred W. [Signature]
Justice of the Peace.



E. W. Morse



15

^{in.}
Andrew B. Gray

Alfred

File # 121933
1/18/33

9/11/33

E. B. Moore }
A. B. Gray }

13

13

E. W. Morse }
as }
A. B. Gray }

Puff's copy

Filed Nov. 1st 1833

Alfred Smith

Alfred Smith

Alfred B. Gray

13

1855

Constable's Sale
Ensmouth -
Justice of the Peace

and disapp-
mittances led
es \$100,000.

Mexico are to
and the Capital
Gen. Alvarez
appointed Com-
ce of La Vega.
Alvarez had
follows:
er of Foreign
er of War.
of Interior and
Finance.
is now as-
have com-
the assist-
who repre-

es through
killed, by the
ne escort and
which his Ex-
has been re-
of Mexico.
new Consti-
convened at
le 17th July
Father of
idalgo," of
ys of Santa
riters, and
part of the
llegations
thers those
the South

SAN DIEGO ADVERTISEMENTS

CONSTABLE'S SALE.

By Virtue of an Execution
to me directed, by A. S. Emsworth,
Justice of the Peace, in and for San Di-
ego Township and County, State of Cali-
fornia, I have seized and taken in execu-
tion the following described property to
wit:

Lot E. in Block No. 6; Lot A and B,
in block No. 9; Lot G. in block No. 17;
Lot I. in block No. 23; Lot K. in block
No. 25; Lot C and J, in block No. 45;
Lot L. in block No. 51; Lot D in block
No. 52; Lot D and E. in block No. 54;
Lot L. in block No. 55. All the forego-
ing lots are situated at New San Diego.
Also Lot 3, in block No. 60, situated
at the Playa, in Court's survey. Taken in
execution as the property of A. B. Gray

for \$143 97, debt, cost and in-
terest.

Notice is hereby given that I will sell
said property to the highest bidder, for
cash, on the *Fifteenth Day of Decem-*
ber 1855, between the hours of *10 o'clock*
A. M. and *3 o'clock P. M.*, at the
Court House in the city of San Diego.
V. S. SHELBY, Constable.
San Diego, Nov; 21, 1855.

\$25 Reward!

STOLEN FROM THE STORE OF
the subscriber, on the night of the
26th inst., a Small Gilt business SIGN,
having his name upon it. A reward
of \$25 will be paid to the person who
will give such information as will lead
to the conviction and punishment of
the thief. THOMAS WHALEY.
San Diego, Nov. 21, 1855.

Kan
no 17

SELL

OUR CO
iff by
January
rem it, a
those dand

DRY
Gr
Our store
and we w
FOR CASH
All
their Bur
Captains
San D

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& CO
counts as
paid by
credit

San
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CO

Land
gages at
ness and

JAM
ATTORNEY

In the name of the People of the
State of California,
County of San Diego.

To Any Constable
of Said County,
Greeting!

You are
hereby Commanded to summon C. B.
Grey to be and appear before me at
my Office in the Town of San Diego, County
aforesaid, on the 13th day of Nov.
instant, at 10 O'Clock A. M. to an-
swer the Complaint of E. W. Morse
in an action of Assumpsit for a
demand amounting to One hun-
dred and forty three dollars and
ninety seven cents and interest
from the 22^d day of Jan 1854, or
default will be taken against
him for the same, and of this writ
make due return - Herein fail not

In Witness whereof I have
hereunto set my hand at my
Office in the Town of San Diego
this 7th day of Nov. A. D. 1855 -

A. B. F. W. H. J. P.

20. Moore

A. B. Gray

Almanac

Name to hand - has been
 at 10 Dec. 1855 - N. S. Kelley
 The Mr. [unclear] defendant
 can not be found in the
 County November 8 1855
 N. S. Kelley constable

Filed Nov. 8th 1855
 N. S. Kelley

E. W. Morse
C. B. Grey

Summers

Revere to hand November 4, 1855
at 10 Essex St. = N.S. Kelly
The Mr. Wm. Mearns' deponent
can not be found in this
County November 8, 1855.
N.S. Kelly constable

Sept. Nov. 8th 1855
A. P.

UNDERTAKING FOR ATTACHMENT.

STATE OF CALIFORNIA,

COUNTY OF *San Diego*

} SCT.

Justices' Court, *San Diego* Township.

E. W. Morse

vs.

Andrew B. Gray

Whereas, an Attachment against the property of the above named Defendant has been this day issued. Now, therefore, WE, the undersigned, do undertake on the part of the above named Plaintiff, that if the Defendant recover judgment, the said Plaintiff will pay all Costs that may be awarded to the Defendant, and all Damages which he may sustain by reason of the said Attachment.

WITNESS our hands and seals in the County of _____ on the _____ day of _____ A. D., 1855.

San Diego
11th November

APPROVED.

A. J. A. J. A. J.

Justice of the Peace.

E. W. Morse [L.S.]

W. H. Whaley [L.S.]

J. W. Robinson [L.S.]

STATE OF CALIFORNIA,

COUNTY OF San Diego

} ss.

Thomas Whaley and J. W. Robertson
sureties in the within Undertaking, being duly sworn, say each for himself and not one for the other, that he is
worth the sum specified in the said Undertaking, over and above all his just debts and liabilities, exclusive of property
exempt from execution—and that he is a resident of the said County and a freeholder and householder therein.

Alfred W. [Signature]

Thos Whaley
J. W. Robertson



Subscribed and sworn to before me, this
11th day of November A.D. 185

Alfred W. [Signature]

Justice of the Peace.

E. W. Morse
E. B. Gray

Wm's Bond & Qualification

Approved & Filed Nov 12 1853
Alfred W. [Signature]

undertaking

Andrews B. Gray

In the Name of the People of the
State of California,
County of San Diego -

To Any Constable of said County -

Greeting!

You are hereby commanded
to protect and safely keep all the property
within said County, not exempt from
Execution, belonging to G. B. Gray, or as
much thereof as may be sufficient to satis-
fy the demand of E. W. Morse against
said G. B. Gray, amounting to One hundred
and forty three dollars and ninety seven
cents ~~and~~ of debt and interest from the
22^d day of June eighteen hundred and
fifty four, unless defendant give security
by an undertaking, of at least two sufficient
parties, in an amount sufficient to satisfy
such demand, besides costs, in which case
you will receive said undertaking, and
if they will make due return to me at
my Office in the Town of San Diego, County
aforesaid, on the 13th day of Nov. instant,
at 10 o'clock A. M. Herein fail not.

In Witness whereof I have
hereunto set my hand this 7th day of
Nov. A. D. 1855.

Wm. Worth J.P.

W. W. Morse
2
L. B. Seay

Attachment -

Wells, W. S. 57 & witness
from 22nd Apr. 1855.

James to hand,
has been for the night
at 10 O'Clock P.M.

W. S. Wells
Constable

Reverend Mr. [unclear]
at 11 O'Clock P.M.
by a Teacher who [unclear]
any desired [unclear]

W. W. Morse
L. B. Seay
W. S. Wells
James to hand
at 10 O'Clock P.M.
W. S. Wells
Constable
Reverend Mr. [unclear]
at 11 O'Clock P.M.
by a Teacher who [unclear]
any desired [unclear]

Nov. 9. 1855. filed copy of the [unclear]
the [unclear] with the [unclear]
of the [unclear] County [unclear]
J. L. Shelby
Constable
Nov. 9. 1855. dated a copy of the [unclear]
the [unclear] on [unclear] [unclear] a
[unclear] possession of the [unclear]
attached in New San Diego

Was at the same time posted up
on the flag staff in New San Diego a
copy of this writ & endorsements, the same being
a public & conspicuous place in New San Diego
near the vacant lots attached

Also at the same time, posted a copy of attachment
& endorsements, on a public place occupied by James
Campbell at the Plaza of St. Diego, the same being
conspicuous & public place near to the vacant lot
attached at that place

J. L. Shelby
Constable

Fees
 mileage \$ 20-00

For serving attachment and four copies
of the same

5 20
11 4 00

also 108 3 in Blanks 60
and survey of the Range

Lot
A. L. R. J. H. G. H.
one horse
two more

E. W. Morse }
21
E. B. Geary }

Attachment

Sell \$163.97 Interest
from 22nd June 1854.

Came to hand
November the 13th
at 10 O'clock P.M.
W. S. Shelly
Constable

Severinberg 1855
Oct 14 O'clock P.M.

I attached the follow-
ing described property

[Vertical text on the right side of the page, including names like 'W. S. Shelly' and 'Constable', and various notes.]

Lot	Blocks	Lot	Blocks
E	6	A. L. K. J. F. G. H.	23
A. B.	9	One House	
G	17	New Town	
G. H. I	23		
K	25		
L. J.	45	See Lot 3 in Block 60	
M	51	East Survey of La Playa	
N.	52		
O. P.	54		
Q.	55		

W. S. Shelly
Constable
Severinberg

E. W. Morse

17

A. B. Grey

Lot E.	Block 6.	New Town	\$3.00
" G	" 9	" "	4.00
" 9	" 17	" "	3.00
" K	" 35	" "	2.00
" L	" 45	" "	1.00
" J	" 45	" "	3.25
" J	" 51	" "	2.75
" B	" 52	" "	3.00
" D	" 54	" "	2.00
" E	" 54	" "	3.00
" L	" 55	" "	2.50
" 3	" 65	Playa	45.00

Sold the above lots on the annexed
 Execution to Th^o Whaley - for the prices set
 opposite the same

Lot B. Block 9 New Town Block
 on the annexed Execution to W^m
 H. Moon - for \$4.00.

N S Shelly
 Constable

Costs of Justice & Constable down until
Execution was placed in Constable's
hands _____ \$19.50

Constable's Costy on Execution as
endorsed on same _____ 16.80
\$ 36.30

Amount made on Execution — \$79.50
Deduction of the above fees — 36.30
Amount made over & above costs — \$43.20

Cont. of Judg^t - exclusive of Costy — \$143.97 with int. at 5% ^{per month from 22^d June}
1854 till paid

Cont. made over & above costs deducted — 43.20

Cont. due on judgment — \$100.77, with int. at 5% ^{per month}
on \$143.97 ^{from} June 22^d 1854, to
Dec^r 15th 1855, and
interest at 5% ^{per month}
on \$100.77, from
that day until
paid —

N S Shelby
Constable

Received the above amount of \$43.20, made
on this Execution over and above ^{Const's cost} ~~costs~~
and Costs of Justice — C. W. Moore
Dec^r 19th 1855 —

of the State of California
County of San Diego

To Any Constable of said County,
Greeting!

of the State of California
County of San Diego

To Any Constable of said County,
Greeting!

Whereas before me, at my Office in the Township of San Diego, County aforesaid, on the 13th day of Nov. next, a judgment was rendered by me, a Justice of the Peace in and for said County, against A. B. Gray in favor of E. D. Morse, for the sum of One hundred and forty three dollars and ninety seven cents of debt, with five per cent per month interest on the same from the 22^d day of June Eighteen hundred and fifty four until paid, and Eighteen dollars and seventy five cents Cost of suit -

There are therefore to Commaund you that first out of the personal property of said A. B. Gray, and if sufficient personal property cannot be found, then out of his real property, you levy and cause to be made by distress and sale the said judgment of debt and costs, amounting to One hundred and fifty two dollars and seventy two cents, with interest of five per cent per month on the debt from the 22^d day of June Eighteen hundred and fifty four until paid, together with your Costs and the Costs of this writ, and of the same make due return to me at my Office in the Township aforesaid on the 29th day of December next, and leave you then there this Writ. Herein fail not.

In Witness whereof I have
Laid set my hand this 20th day of Nov. A. D.
1855, at San Diego aforesaid. *Wm. Worth J. R.*

E. W. Morse
do
C. B. Grey

Exp^{ts}

Sub^{sc} \$143.97

Interest

Costs 18.75

Exp^{ts} \$ 32

Sub^{sc} same as return 25

Came to hand Nov
20th A.D. 1855 at 10 O
Clock a.m.
N S Shelby
Constable

Nov 20th
A.D. 1855 at 11 O
Clock a.m. I viewed on
the following described
property to-wit
lot 2 in Block 6 also
lot 2 in Block 9 also
lot 2 in Dr 9 also
lot 2 in Dr 17

Also R. in block 25
Do C = 45
J = 51
D = 52
D = 54
E = 54
L = 55

And also

lot 3 in Block 6
at the Place in
C. A. Counts survey
The above mentioned
con property I have
advertised and sold
at the highest bid
on the 15th day of
December A.D. 1855 at
2 O'clock P.M.
\$77.50 N S Shelby
Constable

Exp^{ts}
for advertising in
news paper \$12.00
for putting up
notices 3.00
Pr. Constable 1.80
16.80

In the Name of the People of the
State of California
County of San Diego

To the Constable of said County
Greeting;

You are hereby commanded to show our
Geo. H. Hooper to his & personally appear before
me at my office, in the Town of San Diego
forthwith to give evidence in a certain
case in which E. D. Mower is Prof. L. G. B. Gray
is kept on the road of the Prof. Herein fail
not -

In witness whereof I have hereunto
set my hand & seal this 13th Nov. 1855
Attest J. P.

13.

W. Morse

vs

C. B. Gray

Sub. for Puff -

Came to hand Nov 15th
A.D. 1855 at 10 o'clock am

N. S. Shelby
Constable

Served personally on
J. Hopper this subpoena
by reading the writ
to him. Nov 13th A.D.
1855 at 1/2 past 10 o'clock
am

N. S. Shelby
Constable

Sub. Fees \$.05
Sub. 2.50
Miles 50
51.80

Filed Nov. 13th 1855 -

A. M. Fort

1865-LETTERS

A. S. ENSWORTH - TO - THOS. WHALEY
HIS ILLNESS & DEATH AS REPORTED
BY JUDGE BENJAMIN HAYES
JOSHUA SLOANE TRIES TO COLLECT A
DEBT FOR ENSWORTH, E. W. MORSE IS
NAMED EXECUTOR

San Anselmo Cal.,
Jan 16. 1865 -
Saturday - (I know
it is Saturday, but
am not sure about
the day of the month)

Mr. J. W. Haley,
San Fran -

My Dear Sir - Yours of the 6th inst. was
rec^d some days since & after St. Semster had
left. I am a long way from the St. Anselmo Office,
& as letters arrive they are brought to me by
the Sisters, & just as they happen to visit the office.

I wish I could report to you more
favorably about the state of my health. If I get
along at all it is in quite a slow way. When the
weather is warm, & there is no wind, I manage
with the aid of my crutches to hobble outside
of the house & let the sun shine on me for an
hour or so. My leg, even if I should become
well, will always be crooked, & loco-motion
will have to be made with a crutch or crutches.
It is not painful ~~with crutches~~ ~~as formerly~~, but
a dull ache, & when in one position, for a short
time only, becomes tired. The other leg is also trying
to do something, & aches & becomes tired when left

long in one position, but as yet has not engaged any other
Mr. Torrey, what an affliction this is to me! It is now six
months since I came home. Who can tell when I shall be able
to go home? — Altho' I can exult about a little, yet I am not
even sanguine about recovery. My kidneys are much diseased,
and while, as a matter of course, I hope for the best, yet I
have not much faith in curing a kidney disease in
a man of my age. Dr. Guppin appears to have the utmost
confidence in an ultimate recovery, but then I suppose
all physicians consider it proprio to talk good.

I am pleased to hear that the school is both at least,
altho' the amt. it brought did not come quite up to my expectations
but have no doubt Mr. Rainard done the best he could.
As to Mrs. Glavin, I suppose she will be truly. Some time since
she wrote me that there were apt in the brick house several
boxes of church & some few other things. I don't know if she
has sold them or not. I shall send the papers to Mr. Mason
to see Mrs. L. father & attach his property. He has been gone more
than a year & I have his remains scattered out body — in view
looks a large sum — also Hinton.

Give my kindest regards to Mrs. Torrey & your little son.
I don't know if I have any thing more to say even if I had
space to say it on — I feel as tho' I were the most miserable &
helpless man in all California — I am one of the most. Al-
tho' I feel as tho' I were ~~the most miserable & helpless man in all California~~ — but I have
attempted to bid adieu my friends for whatever is in store for me —
With many thanks for your kind regards, I remain
Yours Truly,
A. H. Hinton

Los Angls Cal., Jan. 16, 1865-
Saturday - (I know it is Saturday,
but am not sure about the day of
the month.)

Mr. T. Whaley,

San Fr_{co}, My Dr Sir - Yours of the 6_{th} inst. was recd-
some days since & after St. Senator had left. I am a long way from
the Express Office & when letter arrive they are brought to me by
the Sisters, & just as they happen to visit the office.

I wish I could report to you more
favorably about the state of my health. If I get along at all it
is in quite a slow way. When the weather is warm, & there is no
wind, I manage with the aid of my crutches to hobble outside of
the house & let the sun shine on me for an hour or so. My leg, even
if I should become well, will always be crooked, & locomotion will
have to be made with a crutch or crutches. It is yet painful, not
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to do something, & aches & becomes tired when left long in one
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affliction this is to me! It is now six months since I came here.
Who can tell when I shall be able to go home ? Altho' I can hobble
about a little, yet I am not over sanguine about recovery. My kid-
neys are much diseased, and while, as a matter of course, I hope
for the best, yet I have not much faith in cureing a kidney disease
in a man of my age. Dr. Griffin appears to have the utmost confid-
ence in an ultimate recovery, but then I suppose all physicians
considerate it professional to talk good.

I am pleased to hear that the wool is sold at last, altho' the amt it brought did not come quite to my expectations, but have no doubt Mr. Raimond done the best he could- As to Mr. Sloane, I suppose he writes truly. Sometime since he wrote me that there were yet in the brick house several boxes of claret & some few other things. I don't know if he has sold them or not. I have sent the papers to Mr. Morse to see Mr. Lassater & attach his property. He has been gone more than a year & I hear his mining has turned out badly- is owing Donoho a large sum- also Hinton.

Give my kindest regards to Mrs. Whaley & your little son. I don't know if I have anything more to say even if I had paper to say it on- I feel as tho' I was the most miserable & helpless man in all California & am one of the most. At times I feel as if God had entirely forsaken me. But I have attempted to subdue my mind for whatever is in store for me.

With many thanks for your numerous kindnesses , I remain

Yours Truly &c-

A S Ensworth

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With many thanks for your numerous kindnesses , I remain

Yours Truly &-

A S Ensworth

Los Angeles, Cal.,
Monday, Feb. 21, 1865

My Dear Wheely -

Your kind letter of the 9th inst. was rec^d by last
Steamer & I should have sent you a note in reply by her when she
returned, but she went one day before she advertised to start, leaving
me an object of mistaken confidence in a newspaper advertisement.

I think I can say with confidence that I am slowly improving
and hope soon to be around, altho' I shall be utterly useless
for keeping track of breeding sheep. Hereafter my locomotion
will have to be accomplished with a crutch. When walking
the toe of my left foot only reaches the ground. It may be, that
from use, the hind will become completely paralyzed. But better
be in that situation than in a state of complete paralysis,
perhaps, to receive the affliction towards the latter part of
life than to have received it in my younger days. It is a divine
blessing that, no matter how heavy the blows of affliction, our
souls are so constituted that we are soon ready to draw consolation
by contrasting our present misery with that which might have befallen
us. I think daily of the story made famous to my boys by that best
of school books, the "English Reader", and in me in my young
day, of the Christian who suffered the disfigurement under an
attack of the great and fearful at the same time, who thanked
God they were not accompanied by any other disease. So my praise
God for the blessing we enjoy. Like every true Jew, we never sufficiently
appreciate his blessings until we have lost them.

For Sunday, please tell me if you are in want of anything? "Yes,
My dear Sir, I am in most anxious want, but I am fearful you

cannot assist me, altho' I do not doubt your desire to do so. If you
could only send me a sound & strong leg, (including the knee and
ankle,) Fat & plump, to correspond in appearance & usefulness with my
right leg, you would do me a great favor, but one of bone, flesh &
blood - none of your wooden or gum elastic fixings. Otherwise than
this, at present I am not particularly in need of any thing, but give to
Mrs. Wadley & yourself many thanks for your thoughtful attention of me
in my afflictions - In my last letter I wrote you that I had
seized Bosgate's & attached his property for the debt he was owing us. It now
turns out, that before suit was commenced, Bosgate, on his way home
from the mines, was murdered for what little money he had with him,
altho' this was not known at the time suit was commenced. The result
is we were too late with our suit, as you cannot attach the prop-
erty of, or seize a dead man, & his Estate going into administration the
probability is we would have received next to nothing had not Mr
Coy got the debt secured. Hays has rec^d a letter from Mr. Coy who says
that under instructions from Mr. Morse to settle the demand without
attaching, if possible, he took his bill & note (con. in law of Bosgate)
secured by some collateral (accounts against Scager the payment
of which is guaranteed in writing by Hinton,) so I think we are in
luck - Game J. Cooney, in the Plaza of San Diego, the other day,
killed a man by the name of Mendosa with a double-barrel
shot gun - Cooney is out on \$15,000^{tail}. From what Morse & others
write me, Mendosa had no arms of any kind, & the act was clearly
murder - Mendosa, formerly, had been Major in the Co. So we
go. What a miserable business! - We will have plenty of glass this
year - nothing can prevent it. Truly Yours &c

W. L. G. P. S.

Los Angeles, Cal.,

Monday, Feby. 21, 1865

My Dr Whaley -

Your kind letter of the 9th inst. was recd by last Steamer, & I should have sent you a note in reply by her when she returned, but she went one day before she advertised to start, leaving me an object of mistaken confidence in a newspaper advertisement.

Think I can say with confidence that I am slowly improving and hope soon to be around, altho' I shall be entirely ruined for running races or hearing sheep. Hereafter my loco-motion will have to be accomplished with a crutch. When walking the toes of my left foot only reach the ground. It may be, that from use, the limb will become elongated somewhat. But better be in that situation than in strict confinement, & it is better, perhaps, to receive the affliction towards the latter end of life than to have received it in my younger days. It is a divine blessing that, no matter how heavy the blows of affliction, our minds are so constituted that we are ever ready to draw consolation by contrasting our present misery with that which might have befallen us- I think daily of the story made more familiar to my boyhood by that best of school books, the "English Reader"-, much in use in my young day, of the christian resignation of the old gentleman under an attack of the gout and gravel at the same time, who thanked God they were not accompanied by any other disease. Let us praise God for the blessings we enjoy ! Like everything else, we never sufficiently appreciate his blessings until we have lost them.

You kindly say: "Please tell me if you are in want of anything?" "Yes, my dear Sir, I am in most greivous want, but

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You kindly say: "Please tell me if you are in want of anything?" "Yes, my dear Sir, I am in most greivous want, but

I am fearful you cannot assist me, altho' I do not doubt your desire to do so. If you could only send me a sound & strong leg, (including the knee and ankle,) fat & plump, to correspond in appearance & usefulness with my right leg, you would do me a great favor; but one of Bone, flesh & blood - none of your wooden or gum elastic fixings. Otherwise than this, at present I am not particular in need of anything, but give to Mrs. Whaley & yourself many thanks for your thoughtful attention of me in my afflictions-----

In my last letter I wrote you that I had sued Lassater & attached his property for the debt he was owing us. It now turns out, that before suit was commenced, Lassater , on his way home from the mines, was murdered for what little money he had with him, altho' this was not known at the time suit was commenced. The result is we were too late with our suit, as you cannot attach the property of, or sue a dead man, & his Estate going into administration the probability is we would have received next to nothing had not Mc Coy got the debt secured. Hays has recd a letter from Mc Coy who says that under instructions from Mr Morse to settle the demands without attaching, if possible, he took Kimball's note (son-in-law of Lassater) secured by some collaterals (accounts against Jaeger the payment of which is guaranteed in writing by Hinton.) So think we are in luck.- Cave J. Coutts, in the Plaza of San Diego, the other day, killed a man by the name of Mendoza with a double barrell shot gun - Coutts is out on \$15,000 bail. From what Morse & others write me, Mendoza, formerly, had been Majordomo for Coutts. So we go. What a miserable business ! - We will have plenty of grass this year - nothing can prevent it. Truly Yours &c A S Ensworth

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In my last letter I wrote you that I had sued Lassater & attached his property for the debt he was owing us. It now turns out, that before suit was commenced, Lassater , on his way home from the mines, was murdered for what little money he had with him, altho' this was not known at the time suit was commenced. The result is we were too late with our suit, as you cannot attach the property of, or sue a dead man, & his Estate going into administration the probability is we would have received next to nothing had not Mc Coy got the debt secured. Hays has recd a letter from Mc Coy who says that under instructions from Mr Morse to settle the demands without attacking, if possible, he took Kimball's note (son-in-law of Lassater) secured by some collaterals (accounts against Jaeger the payment of which is guaranteed in writing by Hinton.) So think we are in luck.- Cave J. Couts, in the Plaza of San Diego, the other day, killed a man by the name of Mendoza with a double barrell shot gun - Couts is out on \$15,000 bail. From what Morse & others write me, Mendoza, formerly, had been Majordomo for Couts. So we go. What a miserable business ! - We will have plenty of grass this year - nothing can prevent it. Truly Yours &c A S Ensworth

Friday Apr 15, 1865.

Left Davis - Civil War
talk

Los Angeles, Cal.
Sisters' Hospital.
Friday, Sept. 15. 1865 -

Mr. Thos. Whealy,
San Francisco,

My Dear Sir - Yours of the 15th inst. is recd.,

~~and I am obliged to you~~ - I am just about as when
I last wrote you the 21st of last Feb. when I could sit
able around a little on crutches - I can sit on one now.
My stomach is of course - I feel like a vegetable
with the exception of some service to myself or of use to any
body else. My legs are now the worse - tonic at this con-
ditionally doing something to counteract it, & it is as
much enlarged as ever. Since I came to this Hospital
on the 16th July last I have not been away from the
house. I am about one mile from the 24th Street
I see no body but the sisters - (about once in two or
three weeks Miss Hays comes up to see me) - and
I can nothing. It is like being in jail & only knows
what not to do and in store for me to be still
accused to my great affliction. The I hobble around but
a very little my leg becomes tired & I am obliged to return
to the bed where I can rest it on a pillow - I had
rather die tonight than remain another few months
or 9 months with the pain I have had since I got the

End of the tonic have the same effects before me
which now present themselves. My general health, other-
-wise, is good; but of course I can't always live in this way.
For if this disease does not prove mortal it will be the
means of engendering some complaint that will -

You speak of our business. Jo Hooper was here about a Mr. or 6
weeks ago & wanted to give me Hutton's note at 90 days for the balance
- the debt of \$600 was owing me, but Hutton said no - to take it he
permitted the money to go at the end of 90 days which he said
he would do. This was by some settlement made by Mr. Coy
with Humber (L's son-in-law) & Jaeger - Humber's debt
was settled by Hutton in same way - I don't know what
Morse or Sloane (S. says he has sold all the goods & nearly
paid up) has done - I will write to Morse & try & see
what I can find out. I wish you could go down there.

I don't like that brokerage business much - have always
looked on brokers as sort of sheep-stealers & thieves - not exactly
honest - don't think a broker in that sharp place can get
along much if he pretends to honesty -

Your letter is dated the 10th & I have the Alta of the 11th but
can't find "Johnson & Price" [Price died long ago] they were
- rendered to Sherman, or "Jeff Davis a prisoner in Washington".
I think you must have been violently excited, or received some
- water dysentery which you were keeping dark in order the more
necessarily to carry into effect some "brokerage" operation -

Give my respects to your family. I must get back to
the bed to rest my leg -

Truly Yours
Allen P. W.

Los Angeles, Cal.,

Sister's Hospital

Friday, Ap_l 15, 1865

Mr. Thos Whaley,

San Francisco,

My Dr Sir - Yours of the 10th inst. is recd

& for which I am obliged-

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A S Ensworth

Los Angeles, Cal.,

Sister's Hospital

Friday, Ap^l 15, 1865

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Los Angeles, Cal.,
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be done! - I am resigned to any fate - life or death, as God's Providence is manifested to me; but death is much preferable to further untold suffering -

Some two or three weeks since I wrote to Mr. Morse about our business, requesting him to settle with Sloane & Gore, and informing him that it was high time the thing was closed up. He replied that he thought it so "mix'd" up that it will be a difficult business & he dislikes to do any thing with it. Last week I wrote to both Mr. Sloane & Mr. Morse, informing the latter that it was not at all "mix'd", & to try & close it up, & if he could not or would not, to send all the papers to you, & you could make out the life between us, as the thing had stood long enough. I think all the debts are paid with the exception of \$80 or \$100 from Sloane, as you state, & the Sarsaparilla debt which is to be paid by Hunt. & which, according to the promise of Dr. Hooper to me for Hunt, should be paid by this time. I expect to hear from Mr. Morse again this week, & if he still declines to have any thing to do with it I shall tell him to send all the papers to you, with some other data & memorandums, so that you can, if possible, adjust the matter between us.

I regret the death of Capt. Kellogg, a notice of which I had been in the illa day before the receipt of your letter. I think he was always in rather delicate health - & not equal to the fatigues of Campaign life.

Give my respects to Mrs. Stacey, the receipt of whose picture I forgot to acknowledge, in my last. I keep the picture on the mantle piece, held in place by one of Doct. Crisling's vials of medicine, & she is as well known to all my visitors, as I am myself. Now, as we are of one faith, she must not forget me in her prayers.

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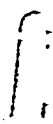
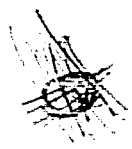
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Mars's dagger
mine:—

Genealogy (3)
W. H. H. H. H.
brothers daughter
married Jo Shattock

Los Angeles, Cal.
June 20th 1865 -
Tuesday -

Mr. W -

Only rec^d your letter late last night & supposed
the St. had returned, but late this forenoon learn the Steamer
will start down at 12 o'clock M.

Morse never answered my
last letter, as Sloane says he was just starting for Lower
California, where he appears to have found a nest egg in
the shape of a copper lead out of which he is attempting
to catch something. So soon as he returns I will have him
send me Books & papers, & I know you can fix it up
in some way, by corresponding.

This picture not full length -
- Have forgotten for some time to tell you that several
months ago your bro^r's daughter married a man by
the name of J. Shattock (livery stable keeper of
this place) when her father left San Diego she was
not bigger than a bit - He is doing a tolerable business,
but is too old - must be at least 35 -

I must quit, or
I will not get this to the office in time - Tom Barnell
& wife are at Virginia City, Pa., - think Morse should
write to him to come down & help him out in his cop -
- (Mr mine - Tom helped him
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we slow down the business) -

Truly
Yours
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Los Angls, Cal.,

June 20th 1865

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Truly

Ensworth

Los Angeles, Cal.
Tuesday
~~Monday~~ August 16/65

Mr. Weekly,

My dear Sir - The steamer is expected to arrive & I hope
to receive a letter from you incited in better spirits than your
two last. I think you have no good reason to be gloomy or down-
-hearted. From what I hear of the loss by some of our vice people
in Stochy, suppose all who have lost should meet on a
long face, what a woe-begone looking population it would
be - worse than a quake - meeting. You have business habits
& tact, & are in the prime of life - There is no cause for de-
-spairing as long as you have health - You say you do not
expect any sympathy from me - because now & then I have
been a little peevish with you about your sanguine
expectations in realising a fortune out of mining Stochy, I
suppose - but in this you are mistaken, for I do most
sincerely sympathize with you in your misfortune -
It is true that I have parted with you now & then, but
any thing more written with a pencil, I should have made
no more incidents in regard to your misdeeds than
they made on the paper - I hope you will get out of it much
better than you expected when you last wrote me -
I am sure you will - You are a very good man & I
am sure. Besides - I am sure you will, I hope, is in San Diego,
I want to know what the rest of the house will be I must
leave this - I would inquire of you - from what I have
heard I think B. is in pursuit of cattle, & that
you remain as well. They are interested in staying
permanently. All mine say I am your friend
for a time - I am sure you will be on that point

authorize Morse, or some one else, to take charge
of all your property. If the house can be rented, even
for a very small rent, it is better than to have it remain
as it is. For the boys & maid may soon commence
being out the windows for the purpose of hearing them
quarrel. My books &c can be removed into any vacant
room in town, of which there are plenty - I dislike to
see that place go to ruin, for I have an affection
for it. But until the house is rented it is far better
to let my books & office furniture remain, as they
will be some inducement for Morse to walk down
there now & then to look around -

At last I have had my books & some slips of
Memoranda by which I am enabled to furnish you
sufficient items so that you can figure up & see how
we stand - enclosed herewith I send you a copy of our
"private account," copied from my life book, pre-
-cising as it stands. The copy enclosed is not added
up, neither is it added up in the book - I thought
I would let you do it, (for I know you ~~to~~ would
do it any how,) - but I can see from the two rows
of figures that the footing will show largely against
me, I more than I thought it would before I copied
it. If there is anything else which you have on
your memo including which should be added to either
debit or credit, of course you will add it. The
last item in the life (the champagne,) stands on
my book in the name of Mr Morse, & has
no business there, but should be added to the item
of \$286.18 herein after mentioned. The way Morse
came to place it there was this: Many months ago

I commenced at San Diego to get him to close up the Merchandise A/c with you, & as there was no memorandum showing I was indebted to Merchandise for champagne, I wrote to him about it, requesting him to "make a note of it" so he would not forget it, & he, like a cunning, charged it in our private a/c in the same language I made use of in conveying to him the information - I send you two leaves from the A/c Book (herewith inclosed,) containing charges of monies sent you & monies paid out on Merchandise A/c, but containing no mention of the monies rec^d by you from Plummer (the wool money) nor of the money you rec^d from Hooper on Merchandise A/c - nor of the money you have rec^d from Sloane since I left home, & it may be he may have made some payments to you before I left home which I have no memorandum of - You will recollect that when you shipped up in San Diego on the 19th January, 1863, the Ant^l paid Every for Hauling was only approximately arrived at. I settled with him on the 1st July, 1864, but the Ant^l paid him is on a Memorandum among my Vouchers I received in San Diego, & tomorrow I will write to Mr. Morse to send it to me, when I will forward it to you so you can carry it in against Merchandise - In addition to this you will recollect that we had Cassin on Merchandise note for \$268.96, & on my private note for \$61.10. (in one suit) Now these notes were not on interest, but I see you rec^d of Hooper, in accordance with the settlement the Sheriff made, \$373.50, which is \$43.44 more than the Ant^l of the notes. How this is I don't know, unless the last Ant^l is to cover costs. The Sheriff writes me that he charges no costs, but Perdue, in answer

To my ungenera, says his costs are \$19. Now this is what
I am driving at: That these \$19 must be paid and
divided between Merchandise & myself in proportion
to the amt^{ts} saved to merchandise & to myself, the
same as merchants make a general average after
some of each ones goods are thrown overboard and
some saved - Pendleton's note is herewith inclosed ^{in gold}

Now I am indebted to Merchandise ^{in gold} $\$286.18$
for goods purchased at different times at our usual
prices. One hundred & seven dollars & Ninety Nine cents
included in the above sum ~~is~~ was made by Morse & Logg
credited in my favor, being money collected of Wernock,
J. L. Minor for hats &c., & the remnant of the goods which
Morse took to prevent loss, as he says, from sending
them to San Francisco because they were unsalable

In addition to the above, I also owe merchandise the
sum of $\$12.91$ ^{in gold} (twelve ninety one) being the value of some
green-backs & fifty cents in silver left in the drawer when
I left home, & which I wish to receive to take possession
of & give me credit for it - I also owe merchandise $\$16$
(sixteen) in green backs, used Aug. 14th, 1863, when they
were worth 75^c on the dollar - Also \$10 (Ten) in green backs
used April 27th 1864, when they were worth 62^c on the dollar -
Also \$5 (Five) in greenbacks, used May 9th 1864, when green
backs were worth 57^c on the dollar -

When you
receive from me the amt^{ts} for having, I think you
will be able to give it up to a cert. this evening I expect to
receive a communication & memorandum from Sloan, when I will
have a few more words to say -

Los Angeles, Cal.,

Mr. Whaley,

Monday Tuesday, Aug. I, 1865

My Dr Sir -

The Steamer is expected tomorrow & I hope to receive a letter from you indited in better spirits than your two last. I think you have no good reason to be gloomy or downhearted. From what I hear of the loss by San Francisco people in Stocks, suppose all who have lost should put on a long face, what a woe-begone looking population it would be - worse than a quaker-meeting. You have business habits & tact, & are in the prime of life- there is no cause for despondancy so long as you have your health.- You say you do not expect any sympathy from me, because now & then I have been a little jacose with you about your sanguine expectations in realizing a fortune out of mining stocks, I suppose- but in this you are mistaken, for I do most sincerely sympathize with you in your misfortune. It is true that I have jested with you now & then, but my jokes were written with a pencil, & should have made no more indelible impression on your mind than they made on the paper-I hope you may get out of it much better than you expected when you last wrote me-

By last mail I recd a letter from Morse, in which he says a Mr. Bensen, Atty. from San Frco, & wife, is in San Diego, & wants to know what the rent of the house will be. I wrote him that I would inquire of you. From what I have heard I think Bensen is in pursuit of health, either for himself or wife, & has no intention of staying permanently. Still Morse may rent him your house for a time. I would suggest to you that you authorize Morse, or some one else, to take charge of all your property. If the house can be rented, even for a very small rent, it is better

than to have it remain as it is, for the boys & Indians will soon commence breaking out the windows for the purpose of hearing them gingle. My books &c can be removed into any vacant room in town, of which there are plenty. I dislike to see that place go to ruin, for I have an affection for it. But until the house is rented it is far better to let my books & office furniture remain, as they will be some inducement for Morse to walk down there now & then to look around.

At Last I have recd my books & some slips of memoranda by which I am enabled to furnish you sufficient items so that you can figure up & see how we stand. -Inclosed herewith I send you a copy of our "private account", copied from my A/C Book, precisely as it stands. The copy inclosed is not added up, neither is it added up in the book- I thought I would let you do it, (for I knew you would do it anyhow,) -but I can see from the two rows of figures that the footing will show largely against me, & more than I thought it would before I copied it. If there is anything else which you have on your memorandums which should be added to either debit or credit, of course you will add it. The last item in the A/C (the champaign,) stands on my book in the handwriting of Mr. Morse, & has no business there, but should be added to the item of \$286.18 herein after mentioned. The way Morse came to place it there was this: Many months ago I commenced at him to get him to close up the merchandise A/C with you & as there was no memorandum showing I was indebted to merchandise for champaigne, I wrote to him about it, requesting him to "make a note of it" so he would not forget it, & he, like a muggins, charged it in our private a/c in the same language I made use of in conveying to him the information- I send you two leaves from the A/C Book (herewith inclosed,)

containing charges of money sent you & monies paid out on merchandise A/C, but containing no mention of the monies recd by you from Raimond (the wool money) nor the money you recd from Hooper on merchandise A/C - nor of the money you have rec_d from Sloane since I left home, & it may be he may have made some payments to you before I left home which I have no memorandum of. You will recollect that when you figured up in San Diego on the 19th January, 1863, the amt paid Evens for hauling was only approximately arrived at. I settled with him on the 1st July, 1864, but the amt paid him is on a memorandum among my "Vouchers & Receipts" in San Diego, & tomorrow I will write to Mr. Morse to send it to me, when I will forward it to you so you can carry it in against merchandise. In addition to this, you will recollect that we sued Lassater on merchandise note for \$ 268.96, & on my private note for \$61.10 (in one suit) Now these notes were not on interest, but I see you recd of Hooper, in accordance with the settlement the Sheriff made, \$ 373.50, which is \$43.44 more than the amt of the notes. How this is I don't know, unless the last amt is to cover costs. The Sheriff writes me that he charges no costs, but Pendleton, in answer to my inquire, says his costs are \$19. Now this is what I am driving at : That these \$19 must be paid and divided between merchandise & myself in proportion to the amt saved to merchandise & to myself, the same as merchants make a general average after some of each ones goods are thrown overboard and some saved- Pendleton's note is herewith inclosed.

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goods which Morse took to prevent Sloan, as he says, from sending them to San Francisco because they were unsaleable-

In addition to the above, I also owe merchandise the sum of \$12.91 in gold (twelve ninety one) being the value of some green-backs & fifty cents in silver left in the drawer when I left home, & which I wrote to Morse to take possession of & give me credit for it- I also owe merchandise A/C \$16 (sixteen) in greenbacks, used Aug. 14th, 1863, when they were worth 75¢ on the dollar- Also \$10 (ten) in greenbacks used April 17th 1864, when they were worth 62¢ on the dollar - Also \$5 (five) in greenbacks, used May 9th 1864 when greenbacks were worth 59¢ on the dollar- Now, when you receive from me the amt pd Evens for hauling, I think you will be able to figure it up to a dot. This evening I expect to receive a communication & memorandum from Sloan, when I will have a few more words to say -

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than to have it remain as it is, for the boys & Indians will soon commence breaking out the windows for the purpose of hearing them gingle. My books &c can be removed into any vacant room in town, of which there are plenty. I dislike to see that place go to ruin, for I have an affection for it. But until the house is rented it is far better to let my books & office furniture remain, as they will be some inducement for Morse to walk down there now & then to look around.

At Last I have recd my books & some slips of memoranda by which I am enabled to furnish you sufficient items so that you can figure up & see how we stand. -Inclosed herewith I send you a copy of our "private account", copied from my A/C Book, precisely as it stands. The copy inclosed is not added up, neither is it added up in the book- I thought I would let you do it, (for I knew you would do it anyhow,) -but I can see from the two rows of figures that the footing will show largely against me, & more than I thought it would before I copied it. If there is anything else which you have on your memorandums which should be added to either debit or credit, of course you will add it. The last item in the A/C (the champaign,) stands on my book in the handwriting of Mr. Morse, & has no business there, but should be added to the item of \$286.18 herein after mentioned. The way Morse came to place it there was this: Many months ago I commenced at him to get him to close up the merchandise A/C with you & as there was no memorandum showing I was indebted to merchandise for champaigne, I wrote to him about it, requesting him to "make a note of it" so he would not forget it, & he, like a muggins, charged it in our private a/c in the same language I made use of in conveying to him the information- I send you two leaves from the A/C Book (herewith inclosed,)

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In addition to the above, I also owe merchandise the sum of \$12.91 in gold (twelve ninety one) being the value of some green-backs & fifty cents in silver left in the drawer when I left home, & which I wrote to Morse to take possession of & give me credit for it- I also owe merchandise A/C \$16 (sixteen) in greenbacks, used Aug. 14th, 1863, when they were worth 75¢ on the dollar- Also \$10 (ten) in greenbacks used April 17th 1864, when they were worth 62¢ on the dollar - Also \$5 (five) in greenbacks, used May 9th 1864 when greenbacks were worth 59¢ on the dollar- Now, when you receive from me the amt pd Evens for hauling, I think you will be able to figure it up to a dot. This evening I expect to receive a communication & memorandum from Sloan, when I will have a few more words to say -

Aug 3, 1865
Murder of
Williams +
Kimball

Aug. 3^d - 1863 - The steamer has arrived, but brought me no letter from you - better luck next time -

Sloane's remaining indebtedness is \$65.83 -

Mr. Morse, in his letter rec^d yesterday, says, in speaking of Mr. Bessemer: "He is now living in Estudillo's house, occupying the room where ^{he} formerly lived & the "common room in front of it, which he will perhaps think a better situation than Whaley's house".

You will notice in the papers the murder of William & Kimball in presence of their wives & children! What an awful thing! - He had only one child, having been married but about two years, but William had several -

I have nothing more to write. I have not much of an idea how the settlement will come out as I have made no calculation (not being in a situation to do it,) but hope, after my indebtedness to you is settled out of my share of the profits, figured up on January 1st, 1863, I may have something coming to me -

I am getting along badly - in continual pain, my fever having enlarged to a frightful size. I am satisfied that I am slowly but surely sinking away under this disease, & that soon I shall not trouble my friends any more -

Yours truly,
Wm. L. Garrison

With respects to yourself &
Yours truly,
Wm. L. Garrison

Wm. L. Garrison

Aug. 3, 1865 - The Steamer has arrived, but brought me no letter from you- better luck next time-

Sloane's remaining indebtedness is \$65.03- Mr. Morse, in his letter recd yesterday, says , in speaking of Mr. Bensen : "He is now living in Estudillo's house, "occupying the room where Kurtz formerly lived & the "corner room in front of it, which he will perhaps "think a better situation than Whaley's house."

You will notice in the papers the murder of Williams & Kimbal in presence of their wives & children ! What an awful thing! K had only one child, having been married but about two years, but Williams had several -

I have nothing more to write. I have not much of an idea how the settlement will come out as I have made no calculation (not being in a situation to do it,) but hope, after my indebtedness to you is settled out of my share of the profits figured up on January 19th 1863, I may have something coming to me-

I am getting along badly - in continual pain, my knee having enlarged to a frightful size. I am satisfied that I am slowly but surely shrinking away under this disease, & that soon I shall not trouble my friends any more -

With respects to yourself & family I remain

Truly Yours &c

A S Ensworth

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With respects to yourself & family I remain

Truly Yours &c

A S Ensworth

San Annyls, Cal.,
Wednesday, Aug. 9. 1865-

D^r Whaley - Mr. Sloane is indebted to Merrick and I
in the sum of \$73.50, instead of the sum as I
formerly advised you. He says he will pay up
in a short time -

On 23^d April, 1862, I had a settlement
with Ewers for hauling & paid him out of my pocket =
-ise, for hauling up to that time, \$129.50 -
For hauling the last two invoices of goods you
sent down, which amounted in the aggregate
to \$144.91 (including drayage) I paid him
\$6 - Between the 23^d - April 1862, above
mentioned, & the receipt ^{for} the two invoices above
mentioned, I rec^d - four invoices of goods
at four different times, for which Ewers
was paid for hauling, in goods, at our usual
prices, but the exact amt paid, which was
kept on a memorandum, never has not
been able to find. If I were at San Annyls
of course I could find it. But you

of course have the amt of those 4
invoices, & can appropriate very near
the amt - paid. Every -

rec^d - to day that he will be absent -
to Los Angeles for two weeks
or 20 days

I am not well, &
writing this sitting up in bed -
God Bless you
E. J. Worth

Los Angeles, Cal.,

Wednesday, Aug. 9, 1865

Dr Whaley -

Mr. Sloane is indebted to merchandise in the sum of \$73.50, instead of the sum as I formerly advised you. He says he will pay up in a short time-

On 23^d April, 1862, I had a settlement with Evens for hauling & paid him out of merchandise, for hauling up to that time, \$129.50- For hauling the last two Invoices of goods you sen down, which amounted in the aggregate to \$144.91 (including drayage) I paid him \$6.- Between the 23^d April 1862, above mentioned, & the receipt of the two invoices above mentioned, I recd - four invoices of goods at four different times, for which Evens was paid for hauling, in goods, at our usual prices, but the exact amt paid, which was kept on a memorandum, Morse has not been able to find. If I were at home of course I could figure it- But you of course have the amt of those 4 invoices, & can approximate very near the amt paid Evens-

Morse writes me by letter rec^d today that he will be absent to Lower California for two weeks or 20 days -

I am not well, & write this sitting up in bed-

God Bless you

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Los Angeles, Cal.,

Wednesday, Aug. 9, 1865

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Ensworth

April 15, 1865

Indebtedness

Slane tries to
collect - debtor

offers a cow,
wild mare,
a barley crop

San Diego August 16. 1865
Thos Whaley Esq
Dear Sir

I am in receipt
of your favor of the 11th and am obliged
I assure you that I am compassing
Heaven and Earth to settle some end the way
I have in my own writing till I can do
So one tells me that he will give me baby
esp of the cow that he will brand a
cow for me when he finds it another that
he has a child man on Navajo hands for
me but that he would break down half dozen
horses to bring him - where say I? and
the balance when our way say 1000 dollars
don't deny it I have my prospect of
settling with you and leave me be for
a little longer

I see by your circular that you have
commenced business - anything that I
can see what might be in your line
I will give you notice of it the troops will
want buy here shortly at say 200 ftw
Yours respectfully
Thomas

San Diego August 15, 1865

Thos. Whaley Esq.

Dear Sir

I am in receipt of your favor of the 11th
and am obliged

I assure you that I am compassing heaven
and earth to settle my indebtedness where is my use writing till I
can do so one tells me that he will give me barley c $3\frac{1}{2}$ p.lb another
that he will brand a cow for me when he finds it another that he
has a wild mare on Warners Ranch for me but that he would break
down half dozen horses to bring her, - where say I? and the balance
who owes me say 1000 dollars dont deny it, I have every prospect
of settling with you and leave me be for a little longer.

I see by your circular that you have comm-
enced business - Anything that I can see which might be in your line
I will give you notice of it. The troops will want hay here shortly
at say \$20.00 P.ton

Yours respectfully

J Slcane

San Diego August 15, 1865

Thos. Whaley Esq.

Dear Sir

I am in receipt of your favor of the 11th
and am obliged

I assure you that I am compassing heaven
and earth to settle my indebtedness where is my use writing till I
can do so one tells me that he will give me barley c $3\frac{1}{2}$ p.lb another
that he will brand a cow for me when he finds it another that he
has a wild mare on Warners Ranch for me but that he would break
down half dozen horses to bring her,- where say I? and the balance
who owes me say 1000 dollars dont deny it, I have every prospect
of settling with you and leave me be for a little longer.

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enced business - Anything that I can see which might be in your line
I will give you notice of it. The troops will want hay here shortly
at say \$20.00 P.ton

Yours respectfully

J Sloane

San Diego August 15, 1865

Thos. Whaley Esq.

Dear Sir

I am in receipt of your favor of the 11th
and am obliged

I assure you that I am compassing heaven
and earth to settle my indebtedness where is my use writing till I
can do so one tells me that he will give me barley c 3½ p.lb another
that he will brand a cow for me when he finds it another that he
has a wild mare on Warners Ranch for me but that he would break
down half dozen horses to bring her,- where say I? and the balance
who owes me say 1000 dollars dont deny it, I have every prospect
of settling with you and leave me be for a little longer.

I see by your circular that you have comm-
enced business - Anything that I can see which might be in your line
I will give you notice of it. The troops will want hay here shortly
at say \$20.00 P.ton

Yours respectfully

J Sloane

Los Angeles, Cal.,
Wednesday, Aug. 23^d, 1865.

Mr. Whaley,

My Dr. Sir - Yours of the 11th inst. informing me of the receipt of the papers I sent you per Express, was rec^d on the 16th inst. & at the same time "Pacific" was rec^d from the Post-Office. A few days subsequently to ^{sending papers per Express,} ~~the receipt~~ I wrote you by Mail informing you as to the amt of Mr. Sloan's indebtedness to our merchandise which you will see was a little more than I informed you it was at the time I sent the paper by Express -

In yours of the 11th inst., you say: "To come to any definite settlement is quite impossible without knowing the amount of merchandise sold & present outstanding accounts" - Mr. Moore gave me to understand that all the merchandise was sold, & that he took the last of it as I wrote you; but on making more particular inquiry I find there still remains in the house the following articles undeposited of, to wit:

2 Cases preserved Apples, 1 box each	12.00
1 " Pickles (1/2 Gal bottles)	4.50
The whole of the dried Beef - unsalad	0.00
Tin measures	2.00
Seigneur Pump	3.50
Maj. Ringgold's Poems	3.75
Ready Reckoner -	2.50
	<u>\$24.75</u>

The only "outstanding accounts" are Mr. Sloan's ^{debit} acct, as I

informed you in my last few mails, & my own indebtedness to
Merchandise as I informed you in my letter forwarded to you
with the papers for Exports -

Now then I don't see but what you
have all the light I can give you, & hope from the deal you lose
you will be able to fix the thing up -

I sent your card to
your new firm to San Diego, & wish you every success, to
which I should like to contribute if I was on my feet, but
alas, Mr. Whaley, here I am, & altho' somewhat better than
when I last wrote you, yet the most miserable man,
both in body & mind, in all California -

Last Sunday Mr. Morse had not arrived from
Lower California, but was expected to be back within
a week -

Truly Yours

A. S. P. [Signature]

Los Ang^{ls}, Cal.,

Wednesday, Aug. 23^d, 1865-

Mr. Whaley ,
My Dr Sir - Yours of the 11th inst., informing me of the receipt of the papers I sent you per Express, was recd on the 16th inst; & altho' marked "Pacific" was recd from the Post Office a few days subsequently to sending packages per Express, ~~to~~ receipt I wrote you by Mail informing you as to the amt of Mr. Sloane's indebtedness to merchandise which you will see was a little more than I informed you it was at the time I sent the paper by Express-

In yours of the 11th inst, you say : "To come to any definite settlement is quite impossible without knowing the amount of merchandise sold & present outstanding accounts "-Mr. Morse gave me to understand that all the merchandise was sold, & that he took the last of it , as I wrote you; but on making more particular inquiry I find there still remains in the house the following articles undisposed of to wit:

2 Cases preserved Apples , 1 Doz. each	\$12.00
1 " pickles ($\frac{1}{2}$ Gal bottles	4.50
The whole of the Dried Beef -unsaleable	0.00
Tin Measures	2.00
Liquor Pump	3.50
Maj. Ringgold's Poems	3.75
Ready Reckoner	2.00
	<u>27.75</u>

The only "outstanding accounts" are Mr. Sloane's debt, as I informed you in my last per mail, & my own indebtedness to merchandise as I informed you in my letter forwarded to you with the papers per Express-

Now then I don't see but what you have all the light I can give you, & hope from the data you have you will

be able to fix the thing up -

I sent your card of your new firm to San Diego, & wish you every success to which I would like to contribute if I was on my feet, but alas, Mr. Whaley, here I am, & altho' somewhat better than when I last wrote you, yet the most miserable man, both in body & mind, in all California-

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Truly Yours &c

A S Ensworth

Los Ang^{ls}, Cal.,

Wednesday, Aug. 23^d, 1865-

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Last Sunday Mr. Morse had not arrived from Lower California, but was expected to be back within a week-

Truly Yours &c

A S Ensworth

Death of
A. S. Eneworth
as reported
by
Judge Benjamin
Hayes

Sept 13, 1865

Los Angeles, September 16th, 1865.

Thomas Whaley, Esq., San Francisco.

My dear Sir:

I enclose you two newspapers, one for Hammond, giving intelligence of the death of our old friend, A. S. Ensworth. He entered the Hospital of the Society of Charity here, July 16th, 1864, and was never out of it, again, during his life, except once, June 4th, 1865, when, as he says in a little memorandum book he has left, he "went to the Church in the City, in a one-horse cart, to receive the Sacrament of Confirmation, from Vt. Rev. Bishop Strat." But, he was not always confined to bed: Lately - perhaps for more than eight months past - he could go about easily, a short distance, on crutches.

I saw him often, his mind remaining unimpaired, his conversation pleasant and intelligent, as of old - his ways quite all the same. Still, for nearly the whole time, he has attended to no professional business, except to put it in a state for settlement by others, giving the necessary information, &c.

I was not present, when he died. Indeed, death so soon was not apprehended by the Sister, nor by the physician (at least he did not say so), Dr. Geo. S. Griffin, until late in the night of the 12th, when his pain became horrible - this is as near as I can express the ideas conveyed by the description of the attending Sister.

Doubtless he had frequently written to you, and you know the nature of his disease, as well as he could ascertain. An examination since death, shows that an inch or half of the bone of the leg, is decayed, at one of the joints of the knee: it was held to the knee by the other joint only. Now, although, this may have commenced, at the time he sprained his ankle, as he described it, in San Diego, stepping into a hole, which, if I remember well, was about May, 1864: I know that from that accident he did not recover: gradually the strange swelling was formed,

application (of every imaginable nature) to reduce it, or by medicine (on the theory that it was caused by or had some connection with an affection of the kidneys) to remove it.

I give you these particulars, as they seem to me to be proper to be heard by friends, and no one else may probably do it.

I think, he had often been advised to try medical skill, at St. Louis: but at no time since July of last year, perhaps, could he have gone there: from what I saw of him, on his arrival at the Hospital (I was then there myself with fever), and for two or three months afterwards, I believe the suffering at periods of the twenty-four hours would have been too great for him, even on a steamer: requiring application & attention difficult to be obtained upon a steamer. Afterwards, he came to "feel at home," as it were, among those benevolent ladies, and with the visits of friends, and, without ever being otherwise than cheerful, seemed to make up his mind that his last home must be spent there: I never witnessed such reconciliation of mind to the prospect of death, & especially approaching, except in consumptive persons: but, even until the last time I saw him, Sept: 5th, retained his robust frame of body and even his fullness of face - not the least emaciation. Lastly, with all this inequality in preparing delicacy of food, the Sisters could not tempt his appetite to eat enough.

I am not a physician, but now it appears clear to me, that, had a disputation, above the knee, have been performed about January last, his valuable life would have been much prolonged, we might hope, for many years: although, the indication was, and he describes the symptoms in his memoirs book, that he was threatened with stone in the bladder.

Impossible to conjecture (or for me to do it) how the dislocation of this one joint (by the splain) & the consequent decay of the parts

(from the remedy not being sooner applied) derived discommodities the

(from the remedy not being sooner applied) defied discovery by the physician: we must consider, however, that when the swelling was first seen by him, it was already as large and indurated as it ever was afterwards. It was neglected in San Diego. Ensworth, soon after he came to the Hospital, could stand up on both feet, & dress himself, (occasionally,) and, on account of its induration perfectly over & around the spot, nothing wrong, I suppose, could be detected by pressure of the hand.

On Sunday (Sept. 10th) an incision was made into the swelling, and it was probed in some manner not described to me: then the wound dressed with bandages: the pain became intense that night, & next morning the bandages were removed, sticking plaster being used: for awhile, the discharge was of water & blood mixed: later, and, particularly, through Tuesday, the discharge became of black blood, and frequent. Putrefaction had set in. I am informed by the attendant, that it was then determined upon, by the physicians, Dr. Griffin & Dr. R. J. Hayes, to perform the amputation on the next day, Wednesday.

But, at 20 minutes past 8 o'clock, a. m. of Wednesday, nature could bear no more.

Immediately upon hearing of the event, I went to the Hospital, and, at the request of the Sister, and being perhaps the only person in Los Angeles particularly long before acquainted with our deceased friend, I made the arrangements for the funeral, which took place on ~~Monday~~ Tuesday, at 8 o'clock, a. m.

I took pains myself to make the selection of the spot for his interment, and the selection contented the good Sister, who wished him to be buried on the side of the Cemetery, nearest to their own view. He rests in front of several beautiful tombs and marble slabs; and, when the final enclosure of the grounds

shall be completed, it will be so near the road overlooking the gardens and river and the fair edifice of the sister, that you and I whenever we might have opportunity, and, in truth, any passer-by would pause, to reflect upon the scene, and its varied history: while you as I would have a mournful thought for that excellent friend, and good man, gone from us, in the midst of his usefulness, and who, had he lived longer, in nothing would have delighted more, than in rendering his any generous services, were it only to make haste and in his plain way, to have dispelled all clouds of gloom from our hearts.

After, have I said to him - "Farewell!" - not knowing if I should ever see him again: I must always, till mine own eyes close, repeat - "Requiescat in Pace!" His last agony began at the very hour my own wife died: the of those Co-incidences, within our circle of friendships, that never fail to make a sensible impression, and serve to keep the memory of the departed, fresh and green, as the plants that may adorn their resting-places.

With the expression of my profound respect to your lady (I am not sure if she remembers me at San Diego - I say so seldom then) I am truly,
 Yours truly,
 Benj. Hayes.

P.S. It would please our good sister - and me too - if the obituary notice in the newspapers, could be copied into the Monitor - or, a better one written by yourself, as you must have more information of our friend, than I have: you having associated with him more closely in San Diego. - Can you inform me, who are his relatives in New York?

He left no direction, to the sister, concerning his affairs: they have his various letters; his little memorandum book; his professional account books, and two account books which, it being to me, must relate to your business with him at San Diego - at least, I have had this impression. I requested the sister, to look up all these, and have written to

+ Mr. E. M. Morse, yesterday, to send in only for them, as I think of for you later, Morse or Wilbur by my admision. Giving his address, Morse he intended to all by himself. something else, assigned to him with \$1000 in a mortgage in my name for the firm of Mr. Morse, who is the owner of the building in San Bernardino - with interest the amount of now about \$2000; it is good. I remember the, when that he has many things in San Diego, but do not know how much; if it is not very necessary, at present, to receive his professional account books, I would advise to send them to it.

Los Angeles, September 16th 1865

Thomas Whaley Esq., San Francisco.

My dear Sir:

I enclose you two newspapers, one for Raimond, giving intelligence of the death of our old friend, A.S. Ensworth. He entered the Hospital of the Sisters of Charity here, July 16th, 1864, and was never out of it again, during his life except once, June 4, 1865, when, as he says in a little memorandum book he left, he "went to Church in City, in a one-horse cart, to receive the Sacrament of Confirmation, from Rev. Bishop Amat." But he was not always confined to bed: latterly - perhaps for more than eight months past - he could go about easily, a short distance, on crutches.

I saw him often, his mind remaining unimpaired, his conversation pleasant and intelligent, as of old - "his ways" quite all the same. Still, for nearly the whole time, he has attended to no professional business, except to put it in a state for settlement by others, giving the necessary information &c.

I was not present, when he died. Indeed, death so soon was not apprehended by the Sisters nor by the physician (at least he did not say so), Dr. Jno. S. Griffin; until late in the night of the 12th, when his pain became horrible - this is as near as I can express the ideas conveyed by the description of the attending Sisters.

Doubtless he had frequently written to you, and you know the nature of his disease, as well as he could ascertain. An examination since his death, shows that an inch and a half of the bone of the knee is decayed, at one of the joints of the knee: it was held to the knee by the other joint only. I have thought, this may have

commenced , at the time he sprained his ankle, as he described it, in San Diego, stepping into a hole, which, if I remember well, was about May, 1864: I know that from that accident he did not recover: gradually the strange swelling was formed, just below the knee , which baffled the physician, in every attempt by applications (of -every imaginable nature) to reduce it, or by medicine (on the theory that it was caused by or had some connection with an affection of the kidneys) to remove it.

I give you these particulars, as they seem to me to be proper to be heard by friends, and no one else may probably do it.

I think , he had often been advised to try medical skill, at San Francisco: but at no time since July of last year, perhaps, could he have gone there: from what I saw of him, on his arrival at the Hospital (I was then there myself with fever) and for two or three months afterward, I believe the suffering at periods of the twenty -four hours would have been too great for him, even on a steamer: requiring applications & attention difficult to be obtained upon a steamer. Afterward; he came to "feel at home ", as it were, among those benevolent ladies, and with the visits of friends, and without ever being otherwise than cheerful, seemed to make up his mind that his last hours must be spent there. I never witnessed such reconciliation of mind to the prospect of death, insensibly approaching, except in consumptive persons: but, Ensworth till the last time I saw him, Sept 5th, retained his robust frame of body and even his fullness of face - not the least emaciation. Latterly, with all the ingenuity in preparing delicacies of food, the Sisters could not tempt his appetite to eat enough.

I am not a physician, but now it appears clear to me, that, had amputation, above the knee, have been performed about January last,

his valuable life would have been much prolonged, we might hope, for many years: although the indications were, and he describes the symptoms in his memorandum book, that he was threatened with stone in the bladder.

Impossible to conjecture (or for me to do it) how the dislocation of this one joint (by the sprain) & the consequent decay of the parts (from the remedy not being sooner applied) defied discovery by the physician: we must consider, however, that when the swelling was first seen by him, it was already as large and indurated as it ever was afterward. It was neglected in San Diego. Ensworth, soon after he came to the Hospital, could stand up on both feet, to dress himself, (occasionally;) and on account of the induration perfectly over & around the spot, nothing wrong , I suppose, could be detected by presence of the hand.

On Sunday (Sept. 10th) an incision was made into the swelling, and it was probed in some manner not described to me: then the wound dressed with bandages: the pain became intense that night, & next morning the bandages were removed, sticking plaster being used: for a while, the discharge was of water & blood mixed: later, and, particularly, through Tuesday the discharges became of black blood, and frequent. Mortification had set in. I am informed by the attendant that it was then determined upon, by the physicians, Dr. Griffin & Dr. R.T. Hayes, to perform the amputation on the next day Wednesday.

But, at 20 minutes past 8 o'clock, A.M. of Wednesday, Nature could bear no more.

Immediately upon hearing of the event, I went ^{To} to the Hospital, and, at the request of the Sisters, and being perhaps the only person

in Los Angeles particularly long before acquainted with our deceased friend, I made the arrangements for the funeral, which took place on Tuesday, at 8 o'clock, a.m.

I took pains myself to make the selection of the spot for his interment, and the selection contented the good Sisters, who wished him to be buried on the side of the Cemetery, nearest to their own view. He rests in front of several beautiful tombs and marble slabs; and when the final enclosure of the grounds shall be completed, it will be so near the road overlooking the gardens and river and the fair edifice of the Sisters, that you and I (whenever we might have the opportunity,) and, in truth, any passer-by would pause to reflect upon the scene, and its varied history: while you or I would have a mournful thought for that excellent friend, and good man, gone from us, in the midst of his usefulness, and, who, had he lived longer, in nothing would have delighted more, than in rendering us any generous service, were it only by his genial smile and his plain way, to have dispelled all clouds of gloom from our hearts.

Often, have I said to him-"Farewell!"- not knowing if I should ever see him again: I must always, till mine own eyes close, repeat-"Requiescat in pace!" This last agony began at the very hour my own wife died: One of those coincidences, within one circles of Friendship, that never fails to make a sensible impression, and serves to keep the Memory of the Departed, fresh and green, as the plants that may adorn their resting-places.

With the expression of my profound respect to your lady(I am not sure if she remembers me at San Diego- I was seldom there-)

I am truly,

Benj. Hayes

P.S. It would please our good Sisters - and me too- if the Obituary notice in the newspapers, could be copied into the Monitor - or, a better one written by yourself, as you must have more information of our friend, than I have : you having associated with him more closely in San Diego .- Can you inform me, who are his relatives in New York ?

He left no directions to the Sisters, concerning his affairs: they have his "various letters; his little memorandum book; his professional account book; and two account books which, it seems to me, must relate to your business with him at San Diego- at least, I have had this impression. I requested to the Sisters, to lock up all these, and have written to Mr. E.W. Morse , yesterday, to send an order for them: as, I take it for granted, Morse or Witherby may administer. During his sickness, Morse has attended to all his business. Sometime ago, I assigned to Ensworth \$1000 in a mortgage in my name (as a fee from Mrs. Rains) upon the Cucamonga rancho in San Bernadino- with interest, the amount is now about \$1200 : it is good. I mention this, to shew that he has means here : in San Diego, I do not know how much; I did not deem it necessary , at present, to examine his professional account book: I am attending to several of his cases: if his estate should need the fees in these, I will present them to it.

Los Angeles, September 16th 1865

Thomas Whaley Esq., San Francisco.

My dear Sir:

I enclose you two newspapers, one for Raimond, giving intelligence of the death of our old friend, A.S. Ensworth. He entered the Hospital of the Sisters of Charity here, July 16th, 1864, and was never out of it again, during his life except once, June 4, 1865, when, as he says in a little memorandum book he left, he "went to Church in City, in a one-horse cart, to receive the Sacrament of Confirmation, from Rev. Bishop Amat." But he was not always confined to bed: latterly - perhaps for more than eight months past -he could go about easily, a short distance, on crutches.

I saw him often, his mind remaining unimpaired, his conversation pleasant and intelligent, as of old -"his ways" quite all the same. Still, for nearly the whole time, he has attended to no professional business, except to put it in a state for settlement by others, giving the necessary information &c.

I was not present , when he died. Indeed, death so soon was not apprehended by the Sisters nor by the physician (at least he did not say so), Dr. Jno. S. Griffin; until late in the night of the 12th, when his pain became horrible- this is as near as I can express the ideas conveyed by the description of the attending Sisters.

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Immediately upon hearing of the event, I went to the Hospital, and, at the request of the Sisters, and being perhaps the only person

in Los Angeles particularly long before acquainted with our deceased friend, I made the arrangements for the funeral, which took place on Tuesday, at 8 o'clock, a.m.

I took pains myself to make the selection of the spot for his interment, and the selection contented the good Sisters, who wished him to be buried on the side of the Cemetery, nearest to their own view. He rests in front of several beautiful tombs and marble slabs; and when the final enclosure of the grounds shall be completed, it will be so near the road overlooking the gardens and river and the fair edifice of the Sisters, that you and I (whenever we might have the opportunity,) and, in truth, any passer-by would pause to reflect upon the scene, and its varied history: while you or I would have a mournful thought for that excellent friend, and good man, gone from us, in the midst of his usefulness, and, who, had he lived longer, in nothing would have delighted more, than in rendering us any generous service, were it only by his genial smile and his plain way, to have dispelled all clouds of gloom from our hearts.

Often, have I said to him-"Farewell!"- not knowing if I should ever see him again: I must always, till mine own eyes close, repeat-"Requiescat in pace!" This last agony began at the very hour my own wife died: One of those coincidences, within one circle of Friendship, that never fails to make a sensible impression, and serves to keep the Memory of the Departed, fresh and green, as the plants that may adorn their resting-places.

With the expression of my profound respect to your lady(I am not sure if she remembers me at San Diego- I was seldom there-)

I am truly,

Benj. Hayes

P.S. It would please our good Sisters - and me too- if the Obituary notice in the newspapers, could be copied into the Monitor - or, a better one written by yourself, as you must have more information of our friend, than I have : you having associated with him more closely in San Diego .- Can you inform me, who are his relatives in New York ?

He left no directions to the Sisters, concerning his affairs: they have his "various letters; his little memorandum book; his professional account book; and two account books which, it seems to me, must relate to your business with him at San Diego- at least, I have had this impression. I requested to the Sisters, to lock up all these, and have written to Mr. E.W. Morse , yesterday, to send an order for them: as, I take it for granted, Morse or Witherby may administer. During his sickness, Morse has attended to all his business. Sometime ago, I assigned to Ensworth \$1000 in a mortgage in my name(as a fee from Mrs. Rains) upon the Cucamonga rancho in San Bernadino- with interest, the amount is now about \$1200 : it is good. I mention this, to shew that he has means here : in San Diego, I do not know how much; I did not deem it necessary , at present, to examine his professional account book: I am attending to several of his cases: if his estate should need the fees in these, I will present them to it.

Los Angeles, September 16th 1865

Thomas Whaley Esq., San Francisco.

My dear Sir:

I enclose you two newspapers, one for Raimond, giving intelligence of the death of our old friend, A.S. Ensworth. He entered the Hospital of the Sisters of Charity here, July 16th, 1864, and was never out of it again, during his life except once, June 4, 1865, when, as he says in a little memorandum book he left, he "went to Church in City, in a one-horse cart, to receive the Sacrament of Confirmation, from Rev. Bishop Amat." But he was not always confined to bed: latterly - perhaps for more than eight months past - he could go about easily, a short distance, on crutches.

I saw him often, his mind remaining unimpaired, his conversation pleasant and intelligent, as of old - "his ways" quite all the same. Still, for nearly the whole time, he has attended to no professional business, except to put it in a state for settlement by others, giving the necessary information &c.

I was not present, when he died. Indeed, death so soon was not apprehended by the Sisters nor by the physician (at least he did not say so), Dr. Jno. S. Griffin; until late in the night of the 12th, when his pain became horrible - this is as near as I can express the ideas conveyed by the description of the attending Sisters.

Doubtless he had frequently written to you, and you know the nature of his disease, as well as he could ascertain. An examination since his death, shows that an inch and a half of the bone of the knee is decayed, at one of the joints of the knee: it was held to the knee by the other joint only. I have thought, this may have

commenced , at the time he sprained his ankle, as he described it, in San Diego, stepping into a hole, which, if I remember well, was about May, 1864: I know that from that accident he did not recover: gradually the strange swelling was formed, just below the knee , which baffled the physician, in every attempt by applications (of -every imaginable nature) to reduce it, or by medicine (on the theory that it was caused by or had some connection with an affection of the kidneys) to remove it.

I give you these particulars, as they seem to me to be proper to be heard by friends, and no one else may probably do it.

I think , he had often been advised to try medical skill, at San Francisco: but at no time since July of last year, perhaps, could he have gone there: from what I saw of him, on his arrival at the Hospital (I was then there myself with fever,)and for two or three months afterward, I believe the suffering, at periods of the twenty -four hours would have been too great for him, even on a steamer: requiring applications & attention difficult to be obtained upon a steamer. Afterward, he came to "feel at home ", as it were, among those benevolent ladies, and with the visits of friends, and, without ever being otherwise than cheerful, seemed to make up his mind that his last hours must be spent there. I never witnessed such reconciliation of mind to the prospect of death, insensibly approaching, except in consumptive persons: but, Ensworth till the last time I saw him, Sept 5th, retained his robust frame of body and even his fullness of face - not the least emaciation. Latterly, with all the ingenuity in preparing delicacies of food, the Sisters could not tempt his appetite to eat enough.

I am not a physician, but now it appears clear to me, that, had amputation, above the knee, have been performed about January last,

his valuable life would have been much prolonged, we might hope, for many years: although the indications were, and he describes the symptoms in his memorandum book, that he was threatened with stone in the bladder.

Impossible to conjecture (or for me to do it) how the dislocation of this one joint (by the sprain) & the consequent decay of the parts (from the remedy not being sooner applied) defied discovery by the physician: we must consider, however, that when the swelling was first seen by him, it was already as large and indurated as it ever was afterward. It was neglected in San Diego. Ensworth, soon after he came to the Hospital, could stand up on both feet, to dress himself, (occasionally;) and on account of the induration perfectly over & around the spot, nothing wrong, I suppose, could be detected by presence of the hand.

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Received
Sept 25/65

San Diego Sept 17/65

Thomas M. Shaley Esq
Dear Sir

By last night's
mail I received the sad
intelligence of the death
of our friend Ensworth, he
died Sept 13th at Los Angeles

Another good man has gone
to his rest. He suffered a
great deal of pain so much
that he longed for death
to relieve him.

He is mourned by everyone
who knew him here.

I opened his will the
day of final I am appointed
Executor. I presume he

settled all your business
up himself.

In haste

Yours &c

E. M. Morse

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E.W. Morse

Dec 8, 1865
Rough Draft of
letter by Thos. Whaley
to E. W. Moore about
settling A. S. Ensworth's
business with Whaley

San Francisco, December 18-1855.

C. W. Morse Esq
San Diego

Dear Sir,

I have completed the account
between Euseworth and myself made from the ac-
counts papers and memoranda furnished by him
by himself. This I had done previous to his death
with the exception of making the additions and
striking the balance. In the course of a few days
I will draw off a clean copy and send it to
you. It is vitally his own account contain-
ing nothing but what his own hand writing will
substantiate. ~~It is for your benefit. I have not
drawn this by office. I have not in my possession
to me but I am willing to do it for you if I should be
it sent with you made appearing. There is a
balance due me, as per this showing, made
from his accounts, of something between
five hundred dollars. Tell me if you please what if
any property left by Euseworth and whether it
will be sufficient to pay the demands against
his estate. I refer to the Stays of Los Angeles mentioned in
his letter ~~to me~~ ^{Sept 15 1855} having assigned to Euseworth \$1000.00
as a mortgage in his name (as a fee from Mrs. Paris) upon
the Cocamonga rancho in San Bernardino with inter-
est, amounting ^{then} ~~was~~ to \$1200.00 and a day it is for a
~~Dear friend meet your earliest convenience with the
1st of my being paid and being~~~~

San Francisco, December 20th 1865.

E. W. Miller Esq,
San Diego,
Dear Sir,

I have been engaged in making up
my account with your concern, but could not be able
to finish it this evening to send to you. It is indeed
the same I made out previous to hearing of his death
taken from his accounts papers and books named
and he furnished me by letter. There is very little
more to be done to it except making the ad-
ditions and striking the balance, and this is
what has occupied me all the evening, but it is
now too late to draw off a clean copy to send
you as I thought I would be able to do by the
morning. I have attempted to do so, but the account
it stands is far from being satisfactory from the
the showing of the balance of profits being nearly
less now than they were when we had a settle-
ment January 1st 1863 - the profits then were
\$1284.50 and now, after disposing of \$2,743.83 worth
additional goods, cost price which were then on
hand as per inventory taken at the time of settle-
ment, only ^{about} \$1153.10 which is something rather
unexplainable to me and therefore for I am

ing satisfactory to me. I have no means of ascertain-
 ing anything definite regarding the presence of the sales
 of the goods in hand Jan 19. 1863. from any accounts
 papers or memoranda furnished me by Endworth,
 although in making up the account between us, I have put
 down nothing ^{which} can be substantiated by his own hand
 writing. It is ^{what} naturally his own account, made from his
 own documents. I shall present the same to you and
 willing to abide by it as made, if you think allow it, but
 if not allowed then I shall make out an other of my own
 which will not vary very materially from his, with the
 exception I shall hold interior to the cost of the goods

Signe Endworth requested me previous ~~to his death~~
 to make up the account between ^{ourselves} us from
 the papers and memoranda which he
 furnished me, and this I did previous
~~to his death~~ ^{about the} intending to forward ^{it to him} ^{of which as}
 when I heard of his death ^{that I had} ^{no} ^{copy}
 if to P. H. B. to be handed to you ^{the adjusted} ^{water of his} ^{all}
 containing nothing but what may be substantiated
 by his own hand writing & the affe
 as presented as as it would stand upon
 his own books of ^{made} ^{by him} ^{and} ^{then}
 claiming ^{only} ^{the} ^{just} ^{proportion} ^{of} ^{the} ^{goods}
 unless ^{to} ^{abide} ^{by} ^{the} ^{same} ^{as} ^{stated} ⁱⁿ ^{the} ^{above} ^{mentioned}
 list of interest ^{upon} ^{the} ^{goods} ⁱⁿ ^{the} ^{above} ^{mentioned}
 list ^{and} ⁱⁿ ^{the} ^{above} ^{mentioned} ^{list} ^{of} ^{interest} ^{upon} ^{the} ^{goods} ⁱⁿ ^{the} ^{above} ^{mentioned}
 in goodly ^{which} ^I ^{might} ^{justly} ^{claim}